

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 23, 2009 at 8:08 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 12, HB 31, HB 33, HB 34, HB 59,
HB 147

00:02:11 Rep. Brown
00:02:14 Chairman Himmelberger
00:02:21 Rep. Malek
00:02:33 Chairman Himmelberger
00:03:37 Rep. Brown
00:03:45 Chairman Himmelberger
00:03:52 Ms. Heffelfinger, Legislative Services Division

EXHIBIT(sth16a01)

00:05:22 Rep. Wilmer
00:05:35 Chairman Himmelberger
00:05:41 Rep. MacLaren
00:05:49 Rep. Brown
00:05:57 Ms. Heffelfinger, Legislative Services Division
00:06:15 Chairman Himmelberger

00:06:23 Committee recesses.
00:52:12 Committee reconvenes. Rep. Phillips is absent.

EXECUTIVE ACTION ON HB 12

00:53:02 **Motion:** Rep. Wilmer moved that **HB 12 DO PASS.**

Discussion:

00:53:06 Chairman Himmelberger
00:53:13 Rep. Wilmer

EXHIBIT(sth16a02)

00:54:39 Chairman Himmelberger

00:54:51 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Phillips voted aye by proxy.

00:55:59 Rep. Hands
00:56:36 Chairman Himmelberger

00:56:50 **Motion/Vote:** Rep. Brown moved that **HB 12 BE TABLED.** Motion carried 9-8 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Phillips vote was not recorded.

00:58:18 Chairman Himmelberger

EXECUTIVE ACTION ON HB 31

00:58:28 **Motion:** Rep. Wilmer moved that **HB 31 DO PASS.**

Discussion:

00:58:33 Chairman Himmelberger

00:58:37 Rep. Wilmer

00:59:16 Chairman Himmelberger

00:59:22 Rep. Brown

01:00:03 Rep. O'Hara

01:00:54 Rep. Hands

01:00:58 Rep. Phillips entered the room.

01:02:13 Rep. Malek

01:03:05 Rep. Dickenson

01:04:37 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer Voting Aye.

01:05:42 **Motion/Vote:** Rep. Brown moved that **HB 31 BE TABLED.** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. Maclaren, Rep. O'Hara, and Rep. Washburn voting aye.

01:07:01 Rep. Van Dyk

01:08:35 Chairman Himmelberger

EXECUTIVE ACTION ON HB 33

01:08:47 **Motion:** Rep. Wilmer moved that **HB 33 DO PASS.**

Discussion:

01:08:55 Chairman Himmelberger

01:09:02 Rep. Wilmer

01:09:32 Chairman Himmelberger

01:09:43 Rep. Dickenson

01:11:01 Rep. Phillips

01:11:39 Rep. Brown

01:12:29 Rep. Dickenson

01:12:48 Rep. Brown

01:13:10 Himmelberger

01:15:14 **Vote:** Motion failed 6-12 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Phillips, and Rep. Wilmer voting aye.

01:16:32 **Motion/Vote:** Rep. Bean moved that **HB 33 BE TABLED.**
Motion carried 12-6 by voice vote with Rep. Belcourt,
Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep.
Phillips, and Rep. Wilmer voting no.

EXECUTIVE ACTION ON HB 34

01:17:28 **Motion:** Rep. Wilmer moved that **HB 34 DO PASS.**

Discussion:

01:17:32 Chairman Himmelberger
01:17:40 Rep. Wilmer
01:18:26 Chairman Himmelberger
01:18:29 Rep. Malek
01:19:28 Rep. Caferro
01:20:13 Rep. Wilmer
01:20:53 Rep. Caferro
01:21:29 Rep. Wilmer
01:22:13 Rep. Caferro
01:22:44 Rep. Wilmer
01:23:14 Rep. Brown
01:23:59 Rep. Bean
01:24:34 Rep. MacLaren
01:25:44 Rep. Phillips
01:26:51 Rep. Hands
01:28:43 Rep. Bean
01:30:12 Chairman Himmelberger
01:31:35 Rep. Wilmer
01:33:30 Rep. Dickenson
01:34:54 Rep. Hendrick
01:36:39 Rep. Caferro
01:38:12 Rep. Belcourt
01:39:12 Rep. Bean
01:39:39 Rep. Malek
01:40:46 Rep. Phillips
01:41:28 Rep. Boss Ribs
01:41:35 Chairman Himmelberger
01:41:42 Rep. Wilmer

01:42:09 **Vote:** Motion failed 9-9 by roll call vote with Rep.
Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson,
Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk,
and Rep. Wilmer voting aye.

01:43:15 **Motion/Vote:** Rep. Ingraham moved that **HB 34 BE TABLED.**
Motion carried 11-7 by voice vote with Rep. Belcourt,
Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep.
Malek, Rep. Phillips, and Rep. Wilmer voting aye.

EXECUTIVE ACTION ON HB 59

01:44:11 **Motion:** Rep. Brown moved that **HB 59 DO PASS.**

Discussion:

01:44:15 Chairman Himmelberger

01:44:27 Rep. Brown

01:44:54 **Motion:** Rep. Caferro moved that **HB 59 BE AMENDED.**

EXHIBIT(sth16a03)

Discussion:

01:45:05 Chairman Himmelberger

01:45:19 Rep. Caferro

01:45:27 Ms. Heffelfinger

01:46:38 Rep. Brown

01:47:10 Ms. Heffelfinger

01:47:34 Rep. Brown

01:48:16 Ms. Heffelfinger

01:48:40 Chairman Himmelberger

01:48:47 **Vote:** Motion carried unanimously by voice vote.

01:49:06 **Motion/Vote:** Rep. Brown moved that **HB 59 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

01:49:38 Rep. MacLaren

01:49:45 Chairman Himmelberger

01:49:50 Ms. Heffelfinger

01:50:23 Chairman Himmelberger

01:50:27 Rep. MacLaren

01:50:47 Rep. Brown

01:51:07 Ms. Heffelfinger

01:51:19 Rep. Phillips

01:51:27 Chairman Himmelberger

01:51:35 Rep. Phillips

01:51:42 Chairman Himmelberger

01:52:51 Rep. Phillips

01:52:58 Chairman Himmelberger

EXECUTIVE ACTION ON HB 147

01:53:01 **Motion:** Rep. MacLaren moved that **HB 147 DO PASS.**

Discussion:

01:53:05 Chairman Himmelberger

01:53:27 **Motion:** Rep. MacLaren moved that **HB 147 BE AMENDED.**
EXHIBIT(sth16a04)

Discussion:

01:53:39 Rep. MacLaren
01:54:18 Chairman Himmelberger
01:54:32 Rep. Brown

01:54:57 **Vote:** Motion carried unanimously by voice vote.

01:55:14 **Motion:** Rep. MacLaren moved that **HB 147 DO PASS AS**
AMENDED.

Discussion:

01:55:20 Chairman Himmelberger
01:55:26 Rep. Van Dyk
01:57:40 Chairman Himmelberger
01:57:49 Rep. Boniek
01:58:23 Chairman Himmelberger
01:58:27 Rep. MacLaren

01:59:08 **Vote:** Motion carried 17-1 by voice vote with Rep.
Boniek voting no.

01:59:38 Rep. Brown
02:00:23 Chairman Himmelberger
02:00:42 Scott Miller, Attorney, Public Employee's Retirement
System
02:00:50 Chairman Himmelberger
02:01:15 Mr. Miller
02:01:46 Chairman Himmelberger
02:02:18 Rep. Hands
02:03:28 Chairman Himmelberger
02:05:03 Rep. Hands
02:05:32 Chairman Himmelberger
02:05:34 Rep. Phillips
02:06:03 Chairman Himmelberger
02:07:04 Rep. Dickenson
02:07:16 Chairman Himmelberger
02:07:22 Rep. Dickenson
02:07:32 Chairman Himmelberger

ADJOURNMENT

02:07:46 Adjournment: 10:15 a.m.

MARSHALL MCEWEN, Secretary

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Additional Exhibits

Additional Documents:

EXHIBIT ([sth16aad.pdf](#))